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January 28, 2019

**VIA ECF**

U.S. District Judge Katherine Polk Failla  
United State District Court  
Southern District of New York  
40 Foley Square, Courtroom 618  
New York, New York 10007

**Re: *Deleston v. Kallejon Corp. d/b/a El Kallejon, and*  
*207 E. 117<sup>th</sup> Street LLC, 18-cv-08280-KPF***

Dear Judge Failla:

This firm represents Defendant 207 E. 117<sup>th</sup> Street LLC (hereinafter Defendant.) We were recently retained and filed a notice of appearance on January 15, 2019 (ECF Doc. 23). I write pursuant to Rule 2(A) and (E) of Your Honor's Individual Rules of Practice to request a 30-day extension from today for Defendant to answer, move, or otherwise respond to the Complaint. The answer was originally due October 16, 2018 after service of the Summons and Complaint upon the New York State Secretary of State. This is Defendant's first request for an extension. Defendant requests this extension to have time to review and investigate the allegations in the Complaint and determine an appropriate response.

Defendant waives any personal service defenses. Plaintiff's counsel has consented to Defendant's request on that condition notwithstanding Defendant's default.

Plaintiff's counsel informs me that the Court has directed Plaintiff to move for a default judgment by February 1, 2019. Plaintiff's counsel agrees not

to move for a default judgment pending this application for an extension and if the application is granted then upon Defendant's timely response to the Complaint.

By order of the Court filed on January 4, 2019, the initial pretrial conference in this case was adjourned until March 7, 2019 at 4:30 p.m. and all other filing deadlines in conjunction with the initial pretrial conference were adjourned to coincide with the new conference date.

Thank you for your consideration of this request.

Yours truly,



Andrew Weltchek

cc: Hon Katherine Polk Failla (via email:  
[Failla\\_NYSDChambers@nysd.uscourts.gov](mailto:Failla_NYSDChambers@nysd.uscourts.gov))  
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